

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ELIJAH BURKE SWALLOW,

Plaintiff,

versus

LIEUTENANT GUITTEREZ,

Defendant.

CIVIL ACTION NO. 1:20-CV-544

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Elijah Burke Swallow, proceeding *pro se*, filed this civil rights lawsuit. The court previously referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the case be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m). To date, the parties have not filed objections.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#20) is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 25th day of January, 2024.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE